

**REMARKS**

After entry of the foregoing amendments, claims 1-16 are pending in this application. Claims 1-15 have been examined. New claim 16 is added via this Amendment.

**DRAWINGS:**

The Examiner is respectfully requested to indicate whether or not the drawings filed with the application papers on April 23, 2001, are acceptable.

**35 U.S.C. §103:**

Claims 1-15 are rejected under 35 U.S.C. §103(a) as being anticipated by Kuwabara (U.S. Patent No. 6,065,136) in view of Wookey (U.S. Patent No. 6,085,244). Applicants respectfully traverse the rejection in view of the following remarks.

The present invention is drawn to a novel and unobvious data transmission system and method for at least one of remote maintenance and diagnosis of an automation system. Kuwabara is cited for an alleged disclosure of a device that uses e-mail to send an instruction and receive diagnostic results. The Examiner then alleges that this teaches the claimed invention except for the additional use of a firewall, for which Wookey is cited. Applicants submit that the present invention provides features that would not have been taught or suggested by Kuwabara and Wookey; thus, a *prima facie* case of obvious has not been established.

The Examiner cites column 5, line 63 to column 6, line 35 of Kuwabara that discloses a system in which diagnostic data is sent by a user of a system to a maker (i.e., a system provider) when trouble occurs. If such information sent by the user to address the problem is not sufficient, the maker sends an inspection program to the user. Such a disclosure actually teaches away from the claimed features regarding an automaton system because the user in Kuwabara is required to manually unload the trouble inspection program and carry out troubleshooting testing so that data can be gathered and then sent back to the maker. Essentially, the maker of Kuwabara must manually create an e-mail program, and then the user (i.e., a person) must manually open the program and respond with the necessary information. A person who must manually perform these functions would not have taught or suggested the features regarding the inventive access to the automation system, i.e., access to automation devices (see page 3, lines 4-6 of the present application).

Wookey discloses a system that communicates diagnostic information from a monitor computer to a remote service center at regular intervals. This is in contradistinction to, and would not have taught or suggested, the present invention that can at least one of monitor or diagnose an automation system actively and spontaneously. In particular, the monitor computer of Wookey stores system diagnostic information that is obtained using a diagnostic program. The remote monitoring computer system receives the diagnostic information at predetermined

intervals and incorporates the diagnostic information into a searchable database. Thus, the remote monitoring system compares current diagnostic information with previously received diagnostic information to determine if a new component exists in the monitor computer. If such a new component exists, the remote monitoring system provides a new diagnostic test that takes the new component into consideration. Thus, Wookey discloses a system to monitor remote computers from a central computer and requires an installed diagnostic program on each slave computer in order to execute monitoring. This teaching in combination with Kuwabara would have failed to teach or suggest the present invention.

In a non-limiting, illustrative embodiment of the present invention, remote maintenance and diagnosis is undertaken by an e-mail message that is sent to an automation system, such that the e-mail includes an instruction command for an application of the automation system. The sending of the first e-mail is the only human action required in such an embodiment. The following procedures are done automatically at the location of the automation system. This provides for an unobvious system and method that reduces the need for human interaction and makes it possible to gain access to automation devices and to monitor an automation system from anywhere. The only requirement is that the remote user has access to the Internet.

Further, at least claims 1, 9 and 13 describe the automatic identification of an instruction contained in a first e-mail message. This is done by a device that then transmits or forwards automatically the received instruction to an application of an automation system for which the

instruction is intended. These features would not have been taught or suggested by the combination of the applied references because they both would have failed to teach or suggest a device which automatically identifies an instruction in a first e-mail message so that it is then transmitted to the appropriate application of an automation system. In contradistinction, the disclosure of Kuwabara would have taught one to send a diagnostic program to a user so that the user can manually open up the program and run the diagnostic testing, and manually return the results to the maker. However, there is no device disclosed in Kuwabara that includes an instruction decoder that automatically identifies an instruction contained in an e-mail from the maker so that it can transfer such instruction to an application of an automation system. Thus, even if the disclosure of Kuwabara were combined with the teachings of Wookey, the claimed features would not have been taught or suggested. Accordingly, Applicants respectfully submit that claims 1-15 are not obvious in light of Kuwabara and Wookey, and request that the rejection under 35 U.S.C. §103(a) be withdrawn.

**NEW CLAIM:**

Applicants add new claim 16 to obtain more varied protection for the invention, and submit that its features would have been neither taught nor suggested by the applied references. Such features further emphasize the field of technology in a non-limiting, illustrative embodiment of the present invention, and further focus on bi-directional communication between the remote user and the applications of the automation system.

AMENDMENT UNDER 37 C.F.R. §1.111  
U.S. Application No. 09/839,419

Art Unit 2685  
Q63542

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and/or the Publication Fee, to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

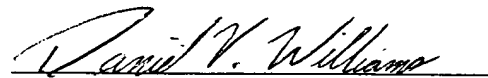
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**23373**

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